

PACAFDIR90-208

BY ORDER OF THE COMMANDER, PACIFIC AIR FORCES

PACAF DIRECTORY 90-208

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Command Policy

STAFF JUDGE ADVOCATE UNIT COMPLIANCE INSPECTION

OPR: HQ PACAF/JAJ (MSgt Rodney J. Wilson)

Certified by: HQ PACAF/JAJ (MSgt Rodney J. Wilson)

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This directory implements AFPD 90-2, Inspector General – The Inspection System, AFI 90-210, Inspector General Activities, and PACAFI 90-201, PACAF Inspector General Activities. It applies to wing level Staff Judge Advocate functions and responsibilities assigned under the Objective wing structure. This directory does not apply to the Air National Guard (ANG) and Air Force Reserve Command (AFRC) units and members.

Items critical to the proper operation of the functional areas are identified by a pound sign (#). The items listed do not constitute the order or limit the scope of an inspection. As a minimum, legal offices should use this directory in conjunction with Unit Self-Inspection. The objective is to identify deficiencies which preclude attainment of required capabilities. Offices can supplement this publication to add internal compliance items. This directory may be used in whole or in part by Higher Headquarters during visits or exercises. Users may add any item(s) which, in the exercise of good judgment, requires examination.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed. This substantial revision deletes numerous checklist items, updates reference citations on 99% of all items, and expands the review of Victim Witness Assistance Program and Reserve Personnel Programs.

1. *Authorized release of Word (.doc) file can only be acquired by contacting the appropriate OPR directly.*

THOMAS L. STRAND, Colonel, USAF

Staff Judge Advocate

1 Attachment

Staff Judge Advocate Mission Performance Checklist

Attachment 1
STAFF JUDGE ADVOCATE MISSION PERFORMANCE CHECKLIST

A1.1. LEADERSHIP FUNCTION

A1.1.1. (#) Have priorities and management goals for the office and each section/division been clearly established and aligned with the overall unit mission? (TJAG On-Line Newsletter, dated 3 January 2001)

A1.1.1.1. (#) Is there a comprehensive training program for paralegals which emphasizes the functional aspects of the organization's mission(s)? (CFETP, section A, paragraph 2 and 2.2)

A1.1.1.2. (#) Are newly assigned judge advocates briefed on their responsibilities, office policies, and the nature and scope of legal assistance services? (AFI 51-504, paragraph 1.5.5)

A1.1.1.3. (#) Do the SJA, LOM, and appropriate section leadership review appropriate management indicators (eg, AFCIMS and AMJAMS) and take appropriate actions in response? (AFPD 51-2, attachment 1; AFPD 51-5, attachment 1; AFI 51-201, paragraph 12.9; and AFI 51-502, paragraph 1.4.3)

A1.1.2. (#) Has the SJA ensured legal services required by commanders and staff agencies is provided? (AFI 51-102, paragraph 3.1)

A1.1.3. (#) Does the SJA brief the wing staff at regular intervals on such matters as status of discipline, political activity restrictions, ethics, and current preventive law topics? (TJAG Policy Letter 10 and AFI 51-102, paragraph 3.5)

A1.1.4. (#) Are personnel identified for detail to local Disaster and Accident Response Teams to support the task force or on-scene commander? (AFI 51-502, paragraph 1.4.5)

A1.1.5. (#) Has the SJA established coordinating procedures with local AFOSI Commander(s) concerning investigations? (AFI 51-201, paragraph 12.9.2)

A1.1.6. (#) Has the SJA ensured compliance with applicable instructions if a magistrate court program exists? (AFI 51-905)

A1.1.7. (#) Does the SJA ensure that all judge advocates and supervisors are familiar with the requirements of AFI 36-2909, Professional and Unprofessional Relationships? (AFI 36-2909, paragraphs 8 and 9)

A1.1.8. (#) Have all military and civilian attorneys engaged in off-duty employment received written approval from their immediate supervisor and complied with command policies? (TJAG Policy Letter 14)

A1.1.9. (#) Has the SJA established a proactive Preventive Law Program? (AFI 51-504, paragraph 3.2 and AFPD 51-5, section C, paragraph 12.5)

A1.1.10. (#) Has the SJA established procedures to ensure that client's legal assistance needs which exceed the capabilities of office personnel are addressed? (AFI 51-504, paragraph 1.5.5 and TJAG Policy Letter 18)

A1.1.10.1. (#) Has the SJA clearly established appropriate limitations on the nature and extent of services available? (AFI 51-504, paragraphs 1.3 and 1.4)

A1.1.10.2. (#) Has the SJA published the office's limits on non-mission related legal assistance? (AFI 51-504, paragraph 1.5.5)

A1.1.11. (#) Is all storage media containing sensitive material (For Official Use Only, attorney work products, Privacy Act, or similar data) secured when the computer system is unattended and properly safeguarded from unauthorized access if placed on a shared LAN? (AFI 51-105, paragraphs 1.11, 1.11.2, 1.11.3 and 1.11.4 and AFMAN 37-123, paragraph 7.12.3.3)

A1.1.12. (#) Are all attorneys familiar with the applicable Air Force Standards of Professional Conduct and Responsibility, and encouraged to review them at least annually? (TJAG Policy Letters 2 and 26 and AFI 51-504, paragraph 1.6)

A1.1.13. (#) Is required performance feedback provided all personnel? (AFI 36-2406)

A1.1.14. (#) Has the SJA discussed, prepared, and placed appropriate documentation in each Reserve Participation Folder? (AFI 51-801, paragraph 4.4)

A1.1.14.1. (#) Has the SJA discussed and documented a discussion of the "Standards of Conduct for Air Force Reserve Judge Advocates" with each attached reserve judge advocate? (TJAG Policy Letter 5)

A1.1.14.2. (#) Has the SJA appointed an active duty judge advocate and paralegal, as appropriate, as training supervisor to plan reserve inactive duty training (IDT) assignments, and ensured documentation on the training checklist? (AFI 51-801, paragraph 3.4)

A1.1.14.3. (#) Has the SJA appointed one of his/her attached reserve judge advocates as reserve coordinator? (AFI 51-801, paragraph 5.1)

A1.1.14.4. (#) Has the SJA considered submitting award recommendations and conducting appropriate ceremonies for reservists? (TJAG Policy Letter 32)

A1.1.15. Does the SJA ensure court-martial cases and participants are properly and timely prepared? (Manual for Courts-Martial and AFI 51-201)

A1.1.16. (#) Has the SJA immediately reported, through command channels, all potential or actual court-martial, civil litigation, and/or discharge actions involving allegations of homosexual conduct? (TJAG Policy Letter 33)

A1.1.17. (#) Has the SJA ensured that all volunteers working in the legal office are aware of and comply with their responsibilities regarding client confidentiality and the Air Force rules of professional conduct? (AFI 51-504, paragraphs 1.5.5 and 1.6.2 and TJAG Policy Letters 26 and 41)

A1.1.18. Does the SJA ensure that all personnel are properly and effectively recognized for awards?

A1.2. SELF-INSPECTION PROGRAM

A1.2.1. (#) Does the office have an effective and comprehensive self-inspection program? (PACAF/JA Policy Letter 3)

A1.2.2. (#) Have deficiencies observed in prior self-inspections, UCIs and staff assistance visits of this and other units been reviewed and addressed if necessary? (PACAF/JA Policy Letter 3)

A1.3. GENERAL ADMINISTRATION AND MANAGEMENT

A1.3.1. (#) Has the office established procedures for the safeguarding of classified information? (AFI 31-401, paragraphs 5.11 and 5.12)

A1.3.1.1. (#) Are classified documents and information properly marked and handled? (AFI 31-401, section 4a, paragraphs 4.1 through 4.7)

A1.3.2. (#) Are security clearances current and do office personnel possess the required clearance to perform their duties? (AFI 31-501)

A1.3.3. (#) Is the law library properly managed? (AFI 51-105)

A1.3.4. (#) Is the Law Library Accountable Officer (LLAO) properly appointed? (AFI 51-105, paragraph 2.4.1)

A1.3.5. (#) Are all items on library shelves properly marked and listed on the inventory and properly managed? (AFI 51-105, chapter 2)

A1.3.6. (#) Are library materials properly maintained and current? (AFI 51-105, chapter 2)

A1.3.7. Are there current recall rosters?

A1.3.8. (#) Do offices and the courtroom present a professional image and are they suited for the function intended, or have sufficient steps been taken to upgrade the facilities? (AFI 32-1084, section C, paragraph 12.7 and TJAG Policy Letter 30)

A1.3.8.1. (#) Are attorneys' offices arranged in a manner to maintain confidentiality of discussions with clients or have adequate steps been taken to correct deficiencies? (AFI 51-504, paragraph 1.6.3)

A1.3.9. (#) Does the office maintain and manage the UMD and UMPR? (PACAF/JA Policy Letter 6)

A1.4. DATA AUTOMATION AND INFORMATION MANAGEMENT

A1.4.1. Does the office utilize an Electronic Filing System, which corresponds to the hard copy office file plan, and is it being used to properly maintain legal opinions, agreements, briefings, and other required electronic media? (AFI 33-322)

A1.4.2. Is the office adequately equipped with computer hardware and software to enhance efficiency of office operations? (AFI 51-105, paragraph 1.4.1 and TJAG Policy Letter 31)

A1.4.3. (#) Are Automated Information Systems (AIS) properly accounted for and identified in both the Resource Allocation Management System (NetRAMS) and local Automated Data Processing Equipment (ADPE) management systems? (AFI 51-105, paragraph 1.4.1)

A1.4.4. (#) Does the LOM check the organizational account daily in WEBFLITE? (TJAG Policy Letter 31)

A1.4.4.1. (#) Does the office maintain their WEBFLITE Roster & does it accurately reflect their manpower authorizations? (PACAF/JA Policy Letter 4)

A1.4.5. (#) Have all judge advocates filed and forwarded a timely PDI? (AFI 51-102, paragraph 4 and PACAF/JA Policy Letter 4)

A1.5. PERSONNEL DEVELOPMENT AND MANAGEMENT

A1.5.1. (#) Is there a comprehensive OJT program? (CFETP)

A1.5.2. (#) Has qualification training been started, documented, and transferred as required? (AFI 36-2201, paragraph 4.11 and CFETP)

A1.5.3. (#) Is the CFETP used as the Master Task List (MTL)? (AFI 36-2201, paragraph 4.9.1.11 and attachment 1)

A1.5.4. (#) Are paralegals meeting acceptable timetables for upgrade and qualification training? (CFETP, table A9.2)

A1.5.5. (#) Is an AF Form 623 maintained for each individual in grades E-1 through E-6 and for each individual who is retraining in grades E-7 and E-8? (AFI 36-2201 paragraphs 4.11 and 4.11.9)

A1.5.6. (#) Are OJT task certifiers and task trainers properly trained and appointed by the commander? (AFI 36-2201, paragraphs 4.9.1.5 through 4.9.1.11)

A1.5.7. (#) Are paralegal personnel rotated among the various functions of the office? (TJAG Policy Letter 1)

A1.5.8. (#) Are judge advocates able to participate in Continuing Legal Education (CLE) as required by their state of licensure? (AFI 51-103, paragraph 1.1)

A1.5.9. (#) If required, is the office conducting Defense Paralegal training? (TJAG Policy Letter 23)

A1.5.9.1. (#) Does the Defense Paralegal's training program meet program requirements? (TJAG Policy Letter 23)

A1.5.9.2. (#) When required, are DP quarterly training reports completed and signed by the LOM, ADC and DP? (TJAG Policy Letter 23)

A1.5.10. (#) Has a specific block of time been set aside during normal duty hours to conduct training, and are all normal duty requirements discontinued during this time period? (CFETP, section B)

A1.5.11. (#) Are supervisors properly preparing AF Form 860A, Civilian Rating of Record? (AFI 36-1001, paragraph 1.2)

A1.5.12. (#) Has the office conducted and properly documented all civilian personnel training? (AFI 36-1001, paragraph 1.9 and AFI 36-401, paragraph 6.2)

A1.6. CUSTOMER FOCUS AND SATISFACTION

A1.6.1. (#) Does the office have an established customer satisfaction process for claimants and legal assistance clients? (PACAF/JA Policy Letter 7)

A1.6.2. (#) Is information obtained from customers accumulated, crossfed, and used to improve service standards? (PACAF/JA Policy Letter 7)

A1.7. MILITARY JUSTICE

A1.7.1. (#) Is the administration of military justice conducted in a timely manner? (UCMJ, Manual for Courts-Martial; AFD 51-2; and AFI 51-201, paragraph 12.9.3)

A1.7.2. (#) Do JA personnel ensure base command officials are trained on military justice processes, and that they understand the prohibitions against unlawful command influence? (UCMJ Articles 37 and 98; R.C.M. 104; and AFI 51-201, chapter 1, paragraph 1.2)

A1.7.3. (#) Is there a conscientious effort to ensure there is no inequality in the administration of adverse actions based on sex, race, color, or ethnic origin? (Constitution of the United States, Amendment 14; AFD 51-2, paragraphs 1 and 17.3)

A1.7.4. (#) Does the SJA periodically monitor compliance with the urinalysis chain of custody procedures at base level? (DoDD 1010.1 (Dec 94); DoDI 1010.16 (Dec 94); AFI 44-120, paragraph 4.7.7 (1 Nov 99); and IC 00-1, Attachment 10 (1 Jul 00))

A1.7.5. (#) Does the SJA advise commanders, the Demand Reduction Program Manager (DRPM), Drug Testing Program Administrative Manager (DTPAM), and other base officials and agencies regarding legal aspects of the drug-testing program? (AFI 44-120, paragraph 4.7.7.2)

A1.7.6. (#) Does the SJA coordinate on all requests for urinalysis drug testing other than routine random inspections (i.e., unit sweep inspections, consent, probable cause, and commander directed testing)? (AFI 44-120, paragraph 4.7.7.3)

A1.7.7. (#) Does JA perform inspections of the urinalysis program (including laboratory and collection procedures), on at least a quarterly basis? (AFI 44-120, paragraph 4.7.7.6)

A1.7.8. (#) Has the SJA performed an audit (no less than annually) of the urinalysis collection procedures at GSUs? (AFI 44-120, paragraph 4.7.7.6)

A1.7.9. (#) Does the SJA or Chief of Military Justice keep close liaison with commanders, first sergeants, OSI and Security Forces to insure prompt and consistent disposition of cases? (AFI 51-201, paragraph 12.9.2)

A1.7.10. (#) Are special interest cases reported to the NAF/JA, PACAF/JA and AFLSA/JAJM as required and upon occurrence of significant events? (AFI 51-201, paragraph 12.8; HQ USAF/JA letter, dated 26 Feb 97; AFLSA/JAJM letter, dated 19 Jan 00; and PACAF/JA letter, dated 14 Sept 00)

A1.7.11. (#) Are Article 137, UCMJ briefings conducted as required? (AFI 51-201, paragraph 12.2)

A1.7.12. (#) If a military magistrate has been appointed for the purpose of issuing search and seizure and/or apprehension authorizations, has the magistrate been appropriately appointed and briefed by the SJA concerning his/her duties? (AFI 51-201, paragraphs 3.1.1 and 3.1.2)

A1.7.13. (#) Are pretrial agreements limited to cases where the available evidence of guilt is convincing, where conviction is probable, and where there is some convincing reason to forego trial of the facts and issues? (AFPD 51-2, paragraph 8 and PACAF/JA letter, dated 22 Jun 00)

A1.7.14. (#) Does the SJA advise and help the commander to evaluate the facts, determine what offense was committed, and assist the commander in properly alleging each offense to state a violation of the UCMJ prior to service of an Article 15 action? (Current AFI 51-202, paragraphs 3.1 and 4.3) (New AFI 51-202, paragraphs 3.1 and 3.8)

A1.7.15. (#) Does the commander consult with the servicing SJA before imposing punishment except where impracticable due to military exigencies? (Current AFI 51-202, paragraph 5.1) (New AFI 51-202, paragraph 3.15)

A1.7.16. (#) Do Article 15 actions comply with jurisdictional considerations, specification formats, commander punishment limitations, and post-action processing requirements? (AFI 51-202)

A1.7.17. (#) Have the appropriate determinations and procedures regarding Article 15 placement in Promotion Selection Folders for officers and senior NCOs (E-7 and above), been completed? (AFI 51-202, paragraph 5.3 and AFI 36-2608, paragraph 2.5)

A1.7.18. (#) Do Article 15 actions receive appropriate separate reviews for legal sufficiency and GCM review? (AFI 51-202, paragraphs 11.2 and 11.4)

A1.7.19. (#) Are commanders who exercise Article 15 authority properly appointed on special orders? (AFI 51-604)

A1.7.20. Victim/Witness Assistance Program

A1.7.20.1. (#) Does the office's Victim and Witness Assistance Program meet requirements of federal law and the common core criteria outlined in AFI 90-201, paragraph A5.1.4? (AFI 90-201, paragraph A5.1.4; AFI 51-201, chapter 7; and TJAG Policy Letter 29)

A1.7.20.2. (#) Does the SJA provide training in this area to judge advocates, investigators, and law enforcement personnel who have contact with victims and witnesses in the course of their duties? (AFI 51-201, paragraph 7.16.3)

A1.7.20.3. (#) Does the SJA or Chief of Military Justice assist victims in obtaining financial, legal, and other social services by providing information and by arranging for contact with servicing agencies? (AFI 51-201, section D, paragraphs 7.10 through 7.17)

A1.7.20.4. (#) Has a Victim Information Packet been drafted to advise victims of the stages in the military justice system and the role they will be expected to play in the process? (AFI 51-201, paragraphs 7.10.6 – 7.10.10.7, paragraphs 7.10.15, 7.16.4, and Victim Information Packet, Figure 07-2)

A1.7.20.5. (#) Does the SJA, as the commander's designee, consult with victims of serious offenses concerning the following decisions: (AFI 51-201, paragraph 7.10)

A1.7.20.5.1. Decision not to prefer one or more charges?

A1.7.20.5.2. Decision concerning pretrial restraint or release of the alleged offender?

A1.7.20.5.3. Pretrial dismissal of charges?

A1.7.20.5.4. Negotiation of pretrial agreements and their potential terms?

A1.7.20.6. (#) Has the SJA or Chief of Military Justice made all appropriate notifications with regard to restitution? (AFI 51-201, paragraphs 7.9.6, 7.10.2, and 7.10.2.1)

A1.7.20.7. (#) Have victims and witnesses been advised that their interests are protected by criminal sanctions under 18 U.S.C. 1512 and 1513 and the UCMJ, and that any attempted intimidation, harassment, or other tampering should be promptly reported to military authorities for investigations? If appropriate, have arrangements been made for them to receive reasonable protection from an accused? (AFI 51-201, paragraphs 7.10.5 and 7.11.1)

A1.7.20.8. (#) Has the SJA or Chief of Military Justice ensured appropriate law enforcement agencies are immediately notified in cases where life, well-being, or safety of a victim or witness is jeopardized or threatened by their participation in a criminal investigation or prosecution? (AFI 51-201, paragraph 7.11.1.1)

A1.7.20.9. (#) Has the SJA or Chief of Military Justice ensured those victims or witnesses using DD Form 2704, are notified of the following events: (AFI 51-201, paragraph 7.12)

A1.7.20.9.1. Apprehension of a suspect or an accused?

A1.7.20.9.2. Initial appearance of an accused?

A1.7.20.9.3. Pretrial release of the accused, or any changes in pretrial restrictions?

A1.7.20.9.4. Court-Martial proceedings including: Any pleas, findings, and sentence imposed including the date the accused becomes eligible for release from confinement or parole?

A1.8. ETHICS LAW

A1.8.1. (#) Is legal advice on ethics matters accurate and timely and are ethics counselors designated in writing? (DOD 5500.7R, Joint Ethics Regulation, paragraph 1-214)

A1.8.2. (#) Does JA work with Military Personnel Flight (MPF) personnel to ensure new employees receive an initial ethics orientation? (DoD 5500.7R, paragraph 11-100)

A1.8.2.1. (#) Does JA ensure all employees designated by the Joint Ethics Regulation receive appropriate annual ethics training? (DoD 5500.7R, paragraph 11-100)

A1.8.2.2. (#) Does JA work with MPF personnel to ensure new entrants into “covered positions” timely file financial disclosure reports, whether public or confidential? (DoD 5500.7-R, paragraphs 7-200 and 7-300)

A1.8.3. (#) Does JA appropriately review and file OGE Forms 450/450a and forward to Higher Headquarters all SF 278s, as well as information required in the Annual Agency Ethics Report? (DoD 5500.7-R, paragraphs 7-206 and 7-306)

A1.8.4. (#) Does the ethics counselor retain OGE Forms 450/450a in an appropriate location for six years, and ensure proper destruction of forms older than six years? (DoD 5500.7-R, paragraph 7-307)

A1.8.5. (#) Is a procedure established to ensure that appropriate personnel are reminded by appropriate means at least annually of their duty to comply with required standards of conduct? (DoD 5500.7-R, section 11-302)

A1.8.6. (#) Does the SJA promptly seek corrective action to remedy violations and appearances of violations of laws or regulations concerning standards of conduct, conflicts of interest, financial disclosures, and DoD and defense related employment reporting requirements? (DoD 5500.7-R, chapter 10)

A1.8.7. (#) Does JA properly advise commanders and individuals regarding standards for approval of off-duty employment? (DoD 5500.7-R, chapters 3 & 8 and TJAG Policy Letter 7)

A1.9. LEGAL ASSISTANCE/PREVENTIVE LAW

A1.9.1. (#) Does the office maintain current legal assistance materials (i.e., state law studies, state and federal income tax information, etc.)? (AFI 51-504, paragraphs 3.2.2.3 and 3.2.2.4.)

A1.9.2. (#) Does the legal assistance program ensure military personnel and civilian employees as appropriate are provided mission related legal assistance? (AFI 51-504, paragraph 1.3)

A1.9.3. (#) Does JA ensure unit's engage in adequate legal affairs pre-deployment planning? (AFPD 51-5, attachment 1, paragraph A1.1.3, and figure A1.3)

A1.9.3.1. (#) Does the plan include advance preparation for units and individuals likely to deploy? (AFI 51-504, paragraph 3.2.2.1)

A1.9.4. (#) Are legal assistance visits recorded utilizing a system which compiles the required information about clients and service which is then used to prepare the AF Form 435 on an annual basis? (AFI 51-504, paragraph 1.9 and 1.10)

A1.9.5. (#) Is the percentage of personnel tasked for deployment who are personally contacted about their personal legal needs or mission-related legal assistance documented annually and reported by letter to JACA through HQ PACAF? (AFI 51-504, paragraph 1.10.1 and AFPD 51-5, attachment 1, A1.1.3)

A1.9.6. (#) Has an active, aggressive, well-publicized tax program been established? (AFI 51-504, paragraph 3.2.2.3)

A1.9.7. (#) Does the office have an active preventive law program of publicity, education and training that helps the Air Force community avoid legal problems? (AFPD 51-5, section C, paragraph 11 and AFI 51-504, paragraph 3.2.1.1)

A1.10. READINESS AND OPERATIONS LAW

A1.10.1. (#) Does the office make quarterly Readiness reports to HQ PACAF/JA? (PACAF Performance Plan)

A1.10.2. (#) Does the office meet its Operational Readiness goal or have a plan to achieve the goal? (PACAF Performance Plan)

A1.10.3. (#) Does the office conduct, track, and report the number of personnel trained on LOAC to HQ PACAF/JA? (DoD 5100.77 and AFI 51-401, paragraphs 3.1. and 3.2)

A1.10.4. (#) Has the Base Support Plan been reviewed within the past 12 months? (AFI 10-404, paragraph 4.2 and AFI 10-404, paragraph 4.1.2 (draft revision))

A1.10.5. (#) Is the SJA an active member of the Base Support Planning Committee (BSPC)? (AFI 10-404, paragraph 3.8)

A1.11. INTERNATIONAL LAW

A1.11.1. (#) Is legal advice on international law issues accurate and timely? (AFI 51-401 and AFI 51-701 through AFI 51-705)

A1.11.2. (#) Does the office maintain an effective working liason with host nation law enforcement officials, prosecutors, and judicial authorities? (AFJI 51-706 (Army Regulation 27-50), paragraph 1-7)

A1.11.3. (#) Has the SJA properly appointed Military Legal Advisors (MLAs) to advise Air Force members facing foreign criminal charges of their rights? (AFI 51-703, paragraph 5-7)

A1.11.4. (#) Have all MLAs provided proper advice and assistance to Air Force members facing foreign criminal charges? (AFI 51-703, paragraph 8-9)

A1.11.5. (#) Has the SJA ensured that there are an adequate number of JAGs from his/her staff properly appointed to act as a Trial Observer for trials of US personnel by foreign courts or Tribunals? (AFJI 51-706 (Army Regulation 27-50), paragraphs 1 through 8)

A1.11.6. (#) Is the trial observer's report properly prepared? (AFJI 51-706 (Army Regulation 27-50), paragraphs 1-8c and d)

A1.11.7. (#) Does the office disseminate adequate information about host nation laws, SOFA provisions, and foreign criminal jurisdiction? (AFJI 51-706 (Army Regulation 27-50), paragraph 1-6) *(This item is NAF Specific, and will only apply to 5th Air Force here in PACAF)*

A1.11.8. (#) Are appropriate waivers of jurisdiction sought from the host nation? (AFJI 51-706 (Army Regulation 27-50))

A1.11.9. (#) Are serious incidents being reported to higher headquarters? (AFJI 51-706 (Army Regulation 27-50), paragraphs 4-8 and 4-9)

A1.11.10. Are all judge advocates available to be appointed as legal advisors, aware of the rights and obligations under applicable agreements and AFJI 51-706 (Army Regulation 27-50)? (AFJI 51-706 (Army Regulation 27-50), paragraph 1-9) *(Applies only to Non-US territories, i.e. Japan, Korea)?*

A1.11.11. (#) Do all judge advocates understand the laws, regulations, and directives governing negotiation and conclusion of international agreements? (AFJI 51-701, attachment 2)

A1.12. CLAIMS

A1.12.1. (#) Are all claims processed to meet established goals and time standards? (AFPD 51-5, attachment 1, paragraphs A1.1 through A1.1.2)

A1.12.2. (#) Is claims data accurately and timely entered into AFCIMS? (AFCIMS Users Manual)

A1.12.3. (#) Are required uploads/system data transfers performed in a timely manner? (AFCIMS Users Manual)

A1.12.4. (#) Do claims files reflect proper arrangement and professional appearance? (AFI 51-502)

A1.12.5. (#) Do pro-government claims activities indicate an aggressive effort to recoup government resources? (AFI 51-502, chapters 3, 4, and 5)

A1.12.6. (#) Have appropriate designations and delegations of authority been made in writing? (AFI 51-502, chapter 1, attachment 2, table A2.1)

A1.12.7. (#) Are tort claims thoroughly researched under the law, properly prepared, supported, and forwarded in accordance with governing directives? (AFI 51-501, chapter 1)

A1.12.8. (#) Does the SJA or Claims Officer reconcile the funds log with the Financial Services Office (FSO), and is it properly documented? (AFI 51-502, paragraphs 1.5.5.6 and 1.5.5.7)

A1.12.9. (#) Are all Carrier Recovery checks properly stored and processed? (AFI 51-502, paragraph 3.19)

A1.12.10. (#) Is the SJA or claims officer promptly notified whenever an aircraft, missile, nuclear or space accident occurs? (AFI 51-502, paragraph 1.4.5.1.)

A1.12.11. (#) Is wreckage and other evidence retained and preserved as required giving adequate consideration to chain of custody issues? (AFI 51-503, paragraphs 10.4 through 10.7.2.6)

A1.12.12. Does the JA claims kit contain sufficient information for the JA representative on the initial response force to answer questions concerning establishment of Military Security Zones, jurisdiction, interface with civilian authorities, claims, preservation of priority resources and evidence, and other potential legal issues?

A1.13. ADVERSE ADMINISTRATIVE ACTIONS

A1.13.1. (#) Is administrative discharge processing adequately coordinated with the Military Personnel Flight (MPF) and command to ensure proper and expedient case processing? (AFI 36-3206; AFI 36-3207; AFI 36-3208, and AFI 36-3209)

A1.13.2. (#) Do officer and enlisted discharge cases reflect appropriate legal office coordination? (AFI 36-3206; AFI 36-3207; AFI 36-3208, and AFI 36-3209)

A1.13.3. (#) Has JA properly coordinated on administrative demotion actions? (AFI 36-2503, paragraph 4.3)

A1.13.4. (#) Has JA properly coordinated on the processing of Officer Promotion Propriety and Retirement Grade determinations? (AFI 36-2501, table 5.1, rules 11, 14, and 15 and AFI 36-3203, paragraphs 7.5.2 and 7.5.2.1)

A1.13.5. (#) Do commanders, investigators, and judge advocates receive training on DoD homosexual conduct policy? (CSAF Policy Letter dated 10 Mar 00)

A1.13.5.1. (#) Are all notification and coordination requirements, as established by TJAG and HQ USAF/JAG, being met before initiating inquiries based on homosexual conduct (statements or acts)? (TJAG Policy Letter 33)

A1.14. CIVIL LAW MATTERS

A1.14.1. Do the civil law opinions and reviews on the following reflect thorough consideration of facts and issues, and reach reasoned, supportable decisions; and are they rendered in a timely manner:

A1.14.1.1. (#) Line of Duty determinations? (AFI 36-2910, paragraphs 4.2, 4.2.1 and 4.2.2)

A1.14.1.2. (#) Report of Survey? (AFMAN 23-220, paragraphs 2.3.15, 3.3.6, 4.1.7, 5.3.7, 5.3.9, 5.4.3, 9.5.2, 10.2.2.12, 10.2.3.2, 13.2.5.8, 13.3.3, and 18.2)

A1.14.1.3. (#) FOIA? (DoD Regulation 5400.7/AF Supp, paragraphs C1.5.3.4 and C1.5.3.6.1)

A1.14.1.4. (#) Privacy Act? (AFI 33-332, paragraphs 4.4, 5.3 and 9.5)

A1.14.1.5. (#) Separating Commissioned Officers? (AFI 36-3206)

A1.14.1.6. (#) Administrative Separation of Airmen? (AFI 36-3208)

A1.14.2. (#) Does the office take an active role in assisting in or with the commander's initiatives for eliminating sexual harassment from the workplace? (AFPAM 36-2705, AFI 36-2706)

A1.14.3. (#) Does JA advise Line of Duty (LOD) investigating officers before and during investigations as to evidentiary standards, proximate cause requirements, definition of terms and procedures for taking statements? (AFI 36-2910, paragraph A4.2.3)

A1.14.4. (#) Does the office actively participate in the IG Complaints Program? (AFI 90-301, chapter 2, paragraphs 2.3.4, 2.4.3, 2.34.6, 2.35.2, 2.36, 2.38, 2.39, and 2.55)

A1.14.4.1. (#) Does JA counsel and advise Investigating Officers appointed to investigate IG complaints? (AFI 90-301, paragraphs 2.34.4 and 2.34.6)

A1.14.4.2. (#) Does JA provide written legal review of Inspector General Reports of Investigations (ROI)? (AFI 90-301, paragraphs 2.55 and 2.55.1 and tables 2.13 and 2.14)

A1.14.5. (#) Does JA review the constitution and by-laws of proposed private organizations and requests for fund raising events before they are submitted to the installation commander for consideration? (AFI 34-223, section c, paragraph 9)

A1.14.6. (#) Is timely and adequate response afforded to Congressional and other high level inquiries? (AFI 90-401, paragraphs 1.1 and 4; AFI 51-201, paragraphs 12.3 and 12.4)

A1.15. CONTRACT LAW

A1.15.1. (#) Does the SJA ensure timely preparation of an acceptable, initial remedies plan and six month updates for each significant procurement fraud case involving the installation? (AFI 51-1101, paragraph 1.1.6)

A1.15.2. (#) Does the SJA provide legal assistance and advice throughout the contracting process as requested by Contracting Officers? (AFFARS 5301.601-94)

A1.15.3. (#) Does the legal office provide all required legal reviews of contractual documents over the specified monetary threshold, as well as other identified legal problems and matters as requested by contracting office personnel? (PACAFFARS 5301.601-94)

A1.15.3.1. Are legal opinions complete, properly filed, and accessible? (PACAFFARS 5301.602-3(b)(3)(ii))

A1.15.3.2. Does the SJA follow the special requirements for ratifications of unauthorized commitments, including specific concurrence/non-concurrence? (PACAFFARS 5301.602-3(b)(3)(ii))

A1.15.3.3. Is the legal office involved with agency and GAO protests, preparing a Memorandum of Law in opposition to the protest and assisting the Contracting Officer with preparation of the Document Release Memorandum? (AFFARS, PACAFFARS 5333.104-90)

A1.15.3.4. Does the legal advisor review and concur with all Contracting Officer final decisions on claims of \$100,000 or less, and termination for defaults with estimated excess reprocurement costs of \$100,000 or less? (AFFARS 5333.211)

A1.15.4. Does the servicing SJA provide a representative to the Competitive Sourcing Management Steering Group to provide the legal advisor, ethics and Procurement Integrity Act training required in the cost comparison process? (AFI 38-203, paragraphs 8.1 and 8.4.7)

A1.16. LABOR LAW

A1.16.1. (#) Has the office established a functional labor law practice? (AFPD 36-12; AFI 36-701, paragraph 7; AFI 36-703; AFI 36-704, paragraphs 5.1.2, 5.1.3 and 15; AFMAN 34-310, paragraphs 6.3, 7.1.4.5, 7.1.4.6, 8.1.5, 8.3.1, and 8.3.2)

A1.16.2. (#) Does the office properly coordinate on actions submitted by the civilian personnel office and command on civilian personnel and labor law issues? (AFI 51-301, paragraphs 1.3, 1.5, 1.7.3.5, 3.3.3, 3.3.4.2, 3.3.5, and AFI 36-701, paragraph 7)

A1.16.2.1. (#) Is JA actively involved in pending law suits, disciplinary actions, and other adverse actions likely to result in the removal or reduction to lower grade? (AFPD 51-3 and AFI 51-301)

A1.16.2.2. (#) Is the office involved in all stages of labor agreement negotiations? (AFI 36-102; AFI 36-103; AFI 36-704; and AFI 51-301)

A1.16.2.3. (#) Is the office aware of and participating in current MSPB, DCPMS, EEOC and ULP cases? (AFI 36-102; AFI 36-103; AFI 36-704; and AFI 36-1201)

A1.16.3. (#) Does JA coordinate on proposed adverse civilian personnel actions prior to initiation and on proposed final decisions? (AFI 36-704, paragraph 6.2)

A1.16.4. (#) Does the SJA advise local commanders of action to take in the event of labor disputes, including those involving contractor personnel? (AFI 36-701, paragraphs 7 and 8)